

REGULATION OF THE LEGAL PROFESSION IN WISCONSIN

FISCAL YEAR 2002-2003

Report of the Lawyer Regulation System



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ANNUAL REPORT
FISCAL YEAR 2002-2003

Introduction

Pursuant to Supreme Court Rule (SCR) 21.03(6)(n) and 21.10(2)(e), the Office of Lawyer Regulation and Board of Administrative Oversight are filing this fiscal year 2002-2003 report on the lawyer regulation system. This report is the third report filed under the new regulation system, which became effective on October 1, 2000. This past year, the lawyer regulation system made tremendous gains in reducing a caseload that developed from 1996 through the transition to the new system. Current trends indicate that the reduction is nearly complete, that the caseload should be within normal operating capacity sometime this fall. The system continues to improve its efficiency and effectiveness in the handling of matters through refinement of its policies and procedures.

Composition of the Lawyer Regulation System

“The lawyer regulation system is established to carry out the Supreme Court’s constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin.” SCR, Chapter 21, Preamble. The composition and organization of the lawyer regulation system is depicted in Appendix 1. The persons currently serving in these organizations are identified in Appendix 2. Following is a description of the components.

Supreme Court

The Supreme Court supervises the lawyer regulation system, determines attorney misconduct and medical incapacity, and imposes discipline or directs other appropriate action in proceedings filed with the Court.

Office of Lawyer Regulation

The Office of Lawyer Regulation (OLR) consists of the Director, investigative and support staff, litigation counsel, and retained counsel. The office has the following duties.

- To receive and to respond to inquiries and grievances relating to attorneys.
- To investigate allegations of attorney misconduct or medical incapacity.
- To divert matters into an alternative to discipline program.
- To prosecute misconduct or medical incapacity proceedings.
- To investigate license reinstatement petitions.

District Committees

District Committees exist in each of the sixteen state bar districts, and consist of lawyers and public members appointed by the Supreme Court. District Committees perform the following duties under the supervision of the Director.

- To educate the bar and the public about the legal profession and ethical practice of law.
- To refer to the Director possible misconduct or medical incapacity matters.
- To assist in the investigation of possible misconduct or medical incapacity.
- To recommend to the Director the appropriate disposition of matters it investigated.
- To monitor an attorney's participation in an alternatives to discipline program or an attorney's compliance with conditions on practice.
- To assist in resolving minor disputes between an attorney and a client.

Preliminary Review Committee

The Preliminary Review Committee consists of fourteen members, nine lawyers and five public members appointed by the Court. The Committee is comprised of two seven-member panels, each having at least four lawyers and at least two public members. The panels have the following duties.

- To review the results of OLR and District Committee investigations and to determine whether there is cause to proceed in the matter.
- To review, upon request by a grievant, decisions by the Director to dismiss a grievance after investigation.
- To confer with the Board of Administrative Oversight and to suggest improvements in the operation of the Committee and its panels.

Board of Administrative Oversight

The Board of Administrative Oversight consists of twelve members, eight lawyers and four public members appointed by the Court. The Board has the following duties.

- To monitor the fairness, productivity, effectiveness, and efficiency of the system.
- To monitor the implementation of new procedures.
- To assess public and bar perceptions of the integrity of the system.
- To report its findings to the Supreme Court.
- To review the operation of the system with the Court, and to file an annual report.
- To propose substantive and procedural rules.
- To inform and educate the public and bar about the system.
- To propose an annual budget.

Special Investigative Panel

The Special Investigative Panel is composed of lawyers appointed by the Supreme Court who are not currently participating in the lawyer regulation system. The Director refers allegations of misconduct against attorneys currently participating in the system to a special investigator. In a referred matter, the special investigator performs the functions that the Director would normally perform, which may include evaluating, investigating, dismissing, diverting, or prosecuting the matter.

Special Preliminary Review Panel

The Special Preliminary Review Panel is composed of four lawyers and three public members appointed by the Supreme Court. In matters involving allegations against current participants in the lawyer regulation system, the panel reviews the special investigator's decision to close a matter without investigation or dismiss a matter after investigation, and reviews an investigative report to determine whether there is cause to proceed.

Referees

Referees are attorneys or reserve judges appointed by the Supreme Court to perform the following duties.

- To conduct hearings in proceedings alleging misconduct or medical incapacity.
- To conduct hearings on petitions for license reinstatement.
- To review consensual public or private reprimands submitted by the Director.
- To review, upon the request of a grievant, determinations by Preliminary Review Panels of no cause to proceed.

Overview of the Lawyer Regulation System

The Wisconsin Supreme Court created the lawyer regulation system to carry out the Court's constitutional responsibility to supervise the practice of law and protect the public from misconduct by persons practicing law in Wisconsin. The Court has adopted standards of professional conduct for attorneys. The Court confers the privilege to practice law on an attorney conditioned on his or her compliance with those standards. SCR 21.15(2). A failure to comply with the Court's standards may constitute misconduct or may be evidence of a medical problem.

The Director of the Office of Lawyer Regulation (OLR) is required to investigate any possible misconduct or medical incapacity of an attorney licensed to practice in the State of Wisconsin. SCR 21.03(6)(a). Communications with OLR alleging lawyer misconduct are privileged, and no lawsuit predicated on those communications may be instituted against any grievant or witness. SCR 21.19. Attorneys and grievants may consult with and be represented by counsel at any stage of an investigation. Prior to the filing of a formal complaint or petition, all papers, files, transcripts and communications in an OLR investigation must be kept confidential by OLR. SCR 22.40(1). OLR may, however, provide relevant information to the respondent and the grievant. SCR 22.40(2). Although the Supreme Court Rules provide no sanction for disclosure of a

grievance by the respondent or the grievant, OLR requests that those involved in an OLR investigation keep confidential all documents generated by the investigation.

Initially, OLR staff screens all inquiries and grievances concerning attorney conduct. If the allegations made are not within OLR's jurisdiction, or if the allegations are not supported by a sufficient factual basis, staff will close the file. The grievant may make a written request for the Director's review of the closure. The Director's decision is final. After preliminary evaluation, staff may also forward the matter to another agency; attempt to reconcile the matter between the grievant and attorney if it is a minor dispute; or refer the matter to the Director for diversion or investigation. Before or after investigation, the Director may divert the matter to an alternatives to discipline program, providing that nothing more than minor misconduct is involved, the respondent agrees, and the respondent is eligible to participate. Alternatives to discipline are usually educational programs or monitoring arrangements designed to assist an attorney in improving the quality of his or her practice.

If the grievance sets forth sufficient information to support an allegation of a violation of Chapter 20 of the Supreme Court Rules, OLR staff may initiate an investigation. OLR staff will send a letter to the respondent enclosing the grievance and requesting a response within 20 days. In most instances, staff will forward the attorney's response to the grievant for comments. When OLR staff has completed the preliminary investigation, the Director will determine whether: (a) an uncontested violation exists; (b) the grievance should be dismissed for lack of merit; (c) further staff investigation is needed; or (d) the matter should be assigned to a district investigative committee for further investigation, pursuant to SCR 22.04(1).

If the grievance is further investigated by staff or a district committee, the respondent and the grievant will be kept advised about the investigation. The committee chairperson can assign the matter to one of the committee's investigators. Pursuant to SCR 22.04(2), the respondent may request a substitution of a district committee investigator within 14 days of receiving notice of the assignment of the investigator. The respondent shall be granted one such substitution as a matter of right, and any other requests for substitution shall be granted by the committee chairperson for good cause shown. If the committee decides to take sworn testimony regarding a grievance at an investigative meeting, the respondent and the grievant will receive timely notice of the meeting. Committee members elicit pertinent information from witnesses at such a meeting. In any matter referred to committee, the committee will prepare a report summarizing the facts and potential disciplinary violations. That report will be sent to the respondent and grievant for comment.

After the investigation is completed by staff and/or a committee, the Director may dismiss the matter for lack of sufficient evidence of cause to proceed, divert the matter to an alternatives to discipline program, obtain respondent's consent to a private or public reprimand, or present the matter to the Preliminary Review Committee for a determination of whether there is cause to proceed. In those cases in which the Director dismisses, the grievant has 30 days after receiving written notice of the dismissal to

make a written request for review of the decision by the Preliminary Review Committee. The decision of the Preliminary Review Committee is final.

If, after the investigation is completed, the Director does not dismiss the grievance, seek a consent reprimand, or divert the matter, OLR staff will prepare an investigative report and provide a copy to the grievant and to the respondent for comment. [In cases in which a district committee investigates a matter, its report will serve as the investigative report.] The grievant and the respondent may submit a written response to the report no later than ten days following receipt of the report.

The Director may then submit the results of the investigation to the Preliminary Review Committee. The Preliminary Review Committee determines whether the evidence presented supports a reasonable belief that an attorney has engaged in misconduct or has a medical incapacity that may be proved by clear, satisfactory and convincing evidence. SCR 22.001(2). If the Preliminary Review Committee dismisses the matter, the grievant has 30 days after being notified of the dismissal to file a written request for review of that decision. The Supreme Court will select a referee to review the matter, and the referee's decision is final.

If the Preliminary Review Committee determines that the Director has established cause to proceed, the Director may file a complaint with the Supreme Court alleging misconduct. OLR, rather than the grievant, is the complainant in such a matter. If the Director files a complaint, an answer is required within 20 days of service of the complaint. Upon proof of service, the Supreme Court appoints a referee to hear the matter pursuant to SCR 22.13(3). The referee holds a scheduling conference to define the issues and to determine the extent of discovery. The referee then presides at a public hearing which is conducted as a trial of a civil action to the court. SCR 22.16. OLR must prove misconduct or medical incapacity by clear, satisfactory and convincing evidence. SCR 22.38.

Within 30 days after the conclusion of the hearing, the referee will submit his or her report to the Supreme Court, including findings of fact, conclusions of law, and a recommendation of dismissal or imposition of discipline. OLR or a respondent may file an appeal of the referee's report within 20 days after the report is filed. If no appeal is timely filed, the Supreme Court reviews the referee's report and determines appropriate discipline in cases of misconduct and appropriate action in cases of medical incapacity. The Court may, on its own motion, order the parties to file briefs. Either the respondent or OLR may file a motion for reconsideration of the Supreme Court's decision within 20 days of the filing of the decision by the Court. The filing of a motion for reconsideration does not stay enforcement of the judgment. The Supreme Court's final dispositions of disciplinary and medical incapacity proceedings are published in the *Wisconsin Reports* and in *The Wisconsin Lawyer*.

The Year in Review

Significant Lawyer Regulation System Developments

During fiscal year 2000-2001, efforts focused on implementing the new system. During fiscal year 2001-2002, the focus was to improve the system's efficiency and effectiveness. As system participants have become more experienced, decision-making and efficiency have improved. The new system has a significantly greater capacity than the prior system, due in equal part to the increase in staff and the new central intake procedure. Under the new system, a higher percentage of matters are being resolved within 90 days and within 180 days.

During fiscal year 2002-2003, the system completed most of the older investigations. At the beginning of the fiscal year, the total number of all pending formal investigations was 750; by the end of the year, the number was down to 479. This number continues to decline. At the beginning of the fiscal year, the number of formal investigations over a year old was approximately 400; by the end of the year, the number was approximately 190. This number also continues to decline. The Office of Lawyer Regulation and Board of Administrative Oversight are especially appreciative of the contributions of the district committees and limited term employees, whose hard work has been instrumental in this year's achievement.

The Supreme Court met with the Board of Administrative Oversight, the Preliminary Review Committee, Special Investigators, and the Special Preliminary Review Panel on April 11, 2003, to discuss current developments in the lawyer regulation system. This fall, the Court will consider amendments to the trust account rule and several procedural rules. This year, in response to the ABA Ethics 2000 report, the Court established a committee to review the Wisconsin Rules of Professional Conduct. The committee will seek comments from the bench, bar, and public; and will recommend changes to Wisconsin rules in the form of a petition to be filed by October 2004.

The Preliminary Review Committee re-elected Attorney James Wickhem of Janesville chairperson and Attorney James Friedman of Milwaukee vice chairperson. The Committee met to consider matters on September 20, 2002, December 13, 2002, January 17, 2003 (Wickhem panel only), March 14, 2003, April 11, 2003 (Friedman panel only) and June 13, 2003. The Committee considered whether cause to proceed existed in 86 matters, and reviewed the Director's dismissals in 16 matters. The Committee was required to meet specially on two occasions during the fiscal year and again in July due to the completion of a large number of investigations. The Board and Office of Lawyer Regulation appreciate the Committee's exceptional service this past year. Committee meetings will continue quarterly.

The Board of Administrative Oversight re-elected Attorney William H. Levit, Jr. of Milwaukee chairperson and Attorney Ann Ustad Smith of Madison vice chairperson. The Board held meetings on September 13, 2002, December 6, 2002, March 7, 2003 and June 6, 2003. Subcommittees to study district committees, to establish Board priorities, and to review rules proposals continued their work. The Board resolved to recommend retaining district committees, and is considering improvements in their operations. The Board will complete its study this fall, and submit its report to the Supreme Court by April 1, 2004.

The Board assesses perceptions of the regulation system through a questionnaire that is sent to each grievant and each respondent after the grievance is resolved. The response rate is approximately 8% for grievants and 12% for respondents. While perceptions generally relate to the outcome of the grievance, the questionnaire responses provide helpful information. The Board will continue to monitor trends in these perceptions.

Finally, the Board remains seized of several significant policy initiatives, including Ethics 2000, proposals for licensure of paralegals, recommendations for improvements in lawyer regulation system procedures, and the reduction of the caseload to achieve capacity and timeliness goals.

The District Committees continue to make a valuable contribution to the system, particularly this year. Committees were instrumental in reducing the number of investigations. Improvements in training and in the sharing of information have increased their effectiveness. The Office of Lawyer Regulation developed a new Manual for District Committees that is being distributed to each committee member. Training sessions were held in Eau Claire, Milwaukee, and Richland Center. The chairpersons met with the Board of Administrative Oversight in March and June, and with the Director in May, to discuss improvements in operations.

Special Investigators and the Special Preliminary Review Panel process matters involving allegations against attorneys who serve with the regular components of the regulation system. During fiscal year 2002-2003, special investigators received 37 referrals and resolved 49 matters. The Special Preliminary Review Panel met on September 4, 2002, December 11, 2002 and March 28, 2002. The Panel considered thirteen matters: it dismissed eleven matters, found cause to proceed in one matter, and returned one matter for further investigation.

The Court appointed six attorneys as special investigators this year to increase the number: Eileen Brownlee of Fennimore, Michael P. Crooks of Madison, Julie Genovese of Madison, Maria S. Lazar of Milwaukee, Scott K. Petersen of Madison, and John D. Varda of Madison. Attorney Coleen Kennedy of Wausau and Attorney Richard Ninneman of Milwaukee were recently appointed to replace resigning special investigators.

The alternative to discipline program provides an effective way to improve an attorney's ability to practice in accordance with high professional standards. Frequently, this is a more effective measure than professional discipline. The Court has authorized diversion to an alternative program in situations where the program will likely benefit the attorney, and where the attorney will not likely harm the public. Alternative programs may include mediation, fee arbitration, law office management assistance, evaluation and treatment for alcohol and other substance abuse, psychological evaluation and treatment, medical evaluation and treatment, monitoring of practice or trust account procedures, continuing legal education, ethics school, and the multi-state professional responsibility examination. During the fiscal year, 128 attorneys were diverted to alternative programs and 85 attorneys completed diversions.

The central intake program provides for the receipt of inquiries and grievances concerning attorney conduct, and for the preliminary evaluation of grievances prior to any formal investigation. Inquiries and grievances may be received by telephone; callers may use a toll free

number to contact the Office of Lawyer Regulation. After the preliminary evaluation, the Central Intake staff may forward the matter to another appropriate agency, attempt to reconcile the matter if it is a minor dispute, close the matter if it does not present sufficient information to support an ethical allegation, or refer the matter for investigation or diversion to an alternative to discipline.

Central Intake received 2,261 inquiries and grievances. This represents a slight decrease from the prior fiscal year. Of the matters evaluated in Central Intake during the fiscal year, approximately 19% were forwarded for formal investigation. Twelve percent (12%) involved the resolution of minor disputes or grievances that were withdrawn. Two percent (2%) involved diversion programs. The remaining 67% were closed for lack of sufficient information to suggest an allegation of potential ethical misconduct.

The regulation system is more accessible than in the past. The ability to communicate telephonically with grievants and respondent attorneys provides more personal contact and increases the level of satisfaction with the process. Central Intake also provides an efficient means to respond to grievances. Decisions whether to close or to formally investigate are made more promptly. As a result, because of central intake the number and percentage of matters resolved within 90 days and within 180 days have increased.

Overdraft Notification Program

The Overdraft Notification Rule [SCR 20:1.15(i) – (p)] went into effect on January 1, 1999. That rule requires attorneys to authorize their financial and investment institutions to notify the Office of Lawyer Regulation of overdrafts on their client trust accounts and fiduciary accounts. Information regarding the trust account overdraft program is available from the Office of Lawyer Regulation web page [www.wicourts.gov/olr].

During Fiscal Year 2003, 138 overdrafts were reported to the OLR, 21 more than the previous fiscal year. Overdraft reports resulted in the commencement of one disciplinary proceeding this year. In addition, overdraft notifications have resulted in the following dispositions during this year:

Diversion	26		
Dismissal after Diversion Program Successfully Completed	3	All	* 13
Dismissal after Investigation	17		overdrafts
Dismissal after Investigation/Advisory Letter sent	79		involved collection
Closed without Investigation*	13	matters	and
Closed without Investigation/Bank Errors	32		problems
Closed without Investigation/Bank Errors/Advisory Letter sent	10		inherent to debt collection.
Closed Pending Reinstatement Proceedings	2		
			The

advisory letters sent during Fiscal 2003, some of which included more than one advisory, related to the following issues and record keeping deficiencies:

Bank Procedures – Delays in Posting Transactions	14
Availability of Funds for Disbursement	32
Lack of Maintenance Account	21
Lack of Proper Endorsement	5
Deposit Slip Errors	9
Check Errors	5
Check Stubs – Inadequacy as a Check Register	14
Signatory Authority on Trust Accounts	6
Failure to Confirm Wire Transfers	5
Failure to Maintain Canceled Checks	5
Computer Software Deficiencies	10
Subsidiary Ledger Deficiencies	9
Impropriety of Credit Card Transactions	1
Lack of Running Balances in Register and Ledgers	12
Other	7

OLR staff presented two, 1/2 day seminars on trust account management in conjunction with Diversions (October 10, 2002 and April 4, 2003). In addition, trust account management was one of the topics covered at OLR's Professionalism Seminar (another Diversion Program) on November 15, 2002.

The director and the overdraft investigator, with assistance from the State Bar and the Wisconsin Bankers Association, completed work on proposed amendments to SCR 20:1.15. On December 19, 2002, the OLR and the State Bar filed a joint petition with the Wisconsin Supreme Court, seeking the adoption of a new trust account rule. By order, dated June 11, 2003, the Court scheduled a public hearing on the petition for September 18, 2003.

Public Information and Outreach

As a means to promote understanding and confidence in the lawyer regulation system, public information and outreach efforts are ongoing. A list of the presentations made during the year is at Appendix 12. General information about the lawyer regulation system is available at www.wicourts/olr.

Survey of Matters

Overall Processing

Since the inception of the new system, the number of grievances has increased approximately 60%. System capacity has also increased, such that the processing of matters occurs in an

efficient manner. The reduction of the caseload is almost complete. Appendices 3 –7 already reflect some of this progress, and should show greater progress next year.

The pending caseload is slightly over 1000 matters, down from the prior year, and more than the optimal caseload capacity of about 870 matters. Increased referrals to district committees and the hiring of temporary staff were effective in reducing the caseload. Efforts to reduce the caseload continue, and are expected to reduce the caseload to the normal capacity this fall.

The efficiency with which matters are processed is very good. The average processing time was 240 days, which is abnormally high because of the unusually large number of older investigations that factored into that statistic this year. On the other hand, the percentage of matters resolved within 90 days and 180 days remained high, 50% and 73% respectively, and should increase significantly next year.

Grievances

In an effort to inform the Supreme Court, the Bar, and the public of the source and nature of the grievances received and the areas of practice from which grievances arise, Appendices 8A – 8C break down by category the grievances received between July 1, 2002 and June 30, 2003. In describing the nature of the grievances, only the most serious allegation is reflected. While most grievances allege various acts of misconduct, it is not practical to list all allegations.

The allegations most commonly made in a grievance were lack of diligence by the lawyer entrusted with the legal matter and lack of communication with the client (see Appendix 8A). The two areas of practice that produced the largest number of grievances during the year were criminal law and family law (see Appendix 8B). It is important to point out that while clients file the majority of grievances, anyone can file a grievance. Appendix 8C illustrates the sources from which grievances were received during the fiscal year.

Discipline

In fiscal year 2002-2003, 46 attorneys received a public disciplinary sanction. One attorney was sanctioned twice. The Supreme Court imposed 2 revocations, 3 revocations by consent, 17 suspensions, 6 temporary suspensions 2 summary suspensions, 2 public reprimands and dismissed 2 disciplinary matters. Referees issued 15 public reprimands by consent. At the end of the year, 46 formal disciplinary matters were pending in the Supreme Court. Appendix 9 shows the numbers and percentages of attorneys receiving public discipline since fiscal year 1978-1979. Appendix 10 shows the type of misconduct found in public discipline decisions. Appendix 11 shows the areas of practice in which discipline was found in public decisions.

A Referee has authority, under SCR 22.09(3), to issue private reprimands pursuant to an agreement between the Director and the attorney. Typically, a private reprimand is imposed for an isolated act of misconduct that caused relatively minor harm. The Director does not enter an agreement for a private reprimand if public disclosure of the attorney's misconduct is necessary to protect the public. Private reprimands are retained permanently and are available as an aggravating factor on the issue of sanction if the attorney commits subsequent misconduct. As a

means of educating the Bar, summaries of private reprimands, without any reference to or identification of the attorney involved, are printed every six months in the *Wisconsin Lawyer* magazine.

During this fiscal year, 32 attorneys received private reprimands. One Hundred Twenty Six (126) attorneys entered the new alternatives to discipline program and 85 attorneys completed an alternative program.

Other dispositions included:

- 1880 inquiries that did not warrant investigation. These matters were closed after the initial intake evaluation because there was insufficient information to support an allegation of misconduct.
- 184 dismissals after investigation in cases where there was insufficient evidence of a violation.
- 120 dismissals with an advisory letter. This disposition occurs in cases where the evidence is insufficient to prove a violation, but where practical advice would be helpful to an attorney.
- 21 closed pending petition for reinstatement.

Following is a summary of public discipline cases for fiscal year 2002-2003.

SUMMARY OF PUBLIC DISCIPLINE

Office of Lawyer Regulation

July 1, 2002 to June 30, 2003

<i>Attorney</i>	<i>Admitted</i>	<i>Location</i>	<i>Decided</i>	<i>Effective</i>
<u>Revocation by Consent</u>				
Boris V. Ouchakof	09/08/89	Madison, WI	11-15-02	11/15/02
John E. Sanborn	12/28/71	Beloit, WI	09/26/02	09/26/02
Robert L. Taylor	06/15/79	Milwaukee, WI	05/05/03	Retroactive to 12/14/92
<u>Revocation</u>				
Christopher L. O'Byrne	08/15/86	Port Washington, WI	11/15/02	11/15/02
Judith A. Pinchar	09/13/82	Milwaukee, WI	04/10/03	04/10/03
<u>Three Year Suspension</u>				
James W. Bannen	05/20/74	LaCrosse, WI	10/17/02	11/21/02
<u>Two Year Suspension</u>				
Edward G. Harris	05/19/86	Milwaukee, WI	03/28/03	03/28/03
Jack U. Shlimovitz	06/17/55	Milwaukee, WI	07/11/02	07/11/02

James G. Wiard (Reciprocal)	11/13/87	Chicago, IL	02/19/03	02/19/03
<u>One Year Suspension</u>				
Bruce Allen Bode (Reciprocal)	06/18/90	Chicago, IL	02/21/03	02/21/03
Susan M. Cotten	06/06/95	Madison, WI	09/11/02	09/11/02
Jane A. Edgar	06/17/85	Milwaukee, WI	05/28/03	Retroactive to 3/22/01
Bruce Nash (Reciprocal)	05/18/87	Chicago, IL	04/22/03	04/22/03
Anne B. Shindell	09/01/79	San Antonio, TX	12/27/02	12/27/02
<u>Nine Month Suspension</u>				
Terry Jay Ness	10/15/98	Hudson, WI	10/02/02	11/06/02
David R. Nott	06/20/89	Loves Park, IL	03/18/03	03/18/03
<u>Six Month Suspension</u>				
John C. Widule	05/24/82	Elm Grove, WI	05/08/03	06/27/03
<u>Ninety Day Suspension</u>				
William Mross	08/27/75	Racine, WI	02/25/03	04/01/03
<u>Sixty Day Suspension</u>				
Jonathan Clark Lewis	12/17/96	Minneapolis, MN	10/02/02	10/02/02
Virginia Rose Ray	01/14/88	Janesville, WI	10/02/02	11/06/02
Dan A. Riegleman	06/17/85	Sussex, WI	02/25/03	04/01/03
<u>Thirty Day Suspension</u>				
David G. Davies (Reciprocal)	09/11/53	Phoenix, AZ	03/13/03	03/13/03
<u>Temporary Suspension</u>				
Stephen V. Chick	05/18/92	Milwaukee, WI	06/12/03	06/12/03
Kate Christnot	06/15/93	Washington, DC	03/13/03	03/13/03
William J. Gilbert	06/18/71	Hudson, WI	06/12/03	06/12/03
Robert J. Parent	05/24/82	Green Bay, WI	11/12/02	11/12/02
John F. Scanlan	10/22/97	Fish Creek, WI	01/14/03	1/14/03
				Reinstated 04/29/03
Michelle L. Tully	08/02/93	Lake Geneva, WI	05/15/03	05/15/03

Summary Suspension

Bruce J. Meagher	09/16/80	Iola, WI	11/12/02	11/12/02
Anne B. Shindell	09/01/79	San Antonio, TX	10/21/02	10/21/02

*Admitted**Location**Decided***Court Public Reprimand**

Darin Scott Harmon	02/04/98	Dubuque, Iowa	06/16/03
James Paul O'Neil	05/23/88	Green Bay, WI	05/28/03

**Consent Public
Reprimand**

Lynn M. Bureta	09/16/80	Kenosha, WI	03/25/03
Timothy J. Carmichael	06/18/90	Sun Prairie	09/24/02
John M. Carroll	12/21/87	New London	06/04/03
Michael M. Cassidy	01/16/75	Madison, WI	07/23/02
Stephen M. Compton	05/18/92	Delavan, WI	07/26/02
Jeffery J. Drach	04/23/75	Wausau, WI	09/11/02
Donald A. Hahnfeld	05/18/87	West Allis, WI	04/22/03
Ann Hammer	09/22/92	Oshkosh	05/28/03
Carl Jordan	05/26/94	Kenosha	01/08/03
Bartley G. Mauch	06/16/72	Prairie du Sac, WI	03/03/03
David G. Merriam	06/16/72	Madison, WI	02/17/03
Terry Ann Morgan	06/09/88	New York, NY	08/06/02
J. E. Nugent	02/10/70	Waupun, WI	03/06/03
Terry L. Nussberger	09/13/83	Ladysmith, WI	03/29/03
Constance Traylor	06/07/74	Overland Park, KS	10/23/02

Reinstatements

During fiscal year 2002-2003, the Court completed action on 24 reinstatement petitions, 17 administrative and 7 disciplinary, after investigations by the Office of Lawyer Regulation and public hearing. Following is a summary of reinstatements.

SUMMARY OF REINSTATEMENTS**Office of Lawyer Regulation**

July 1, 2002 – June 30, 2003

<i>Attorney</i>	<i>Location</i>	<i>Received</i>	<i>Decided</i>	<i>Outcome</i>
<u>Administrative</u>				
Ann Reilly Bishop	Vail, CO	05/23/02	12/23/02	Granted
Patricia Bloodgood	Minneapolis, MN	01/06/03	03/13/03	Granted
Michael Carter	St. Paul, MN	10/03/02	01/17/03	Granted

Steven N. Gerhardt	Tucson, AZ	05/02/02	10/01/02	Granted
Nina Marie Jones	Waukesha, WI	11/09/01	03/05/03	Granted
JoAnne Joyce	Indianapolis, IN	10/22/02	03/21/03	Granted
John Lammer	LaCrescent, MN	07/01/02	12/11/02	Granted
Whitney Meier	Decatur, GA	11/26/02	04/11/03	Granted
Judith Y. Polich	Washburn, WI	03/27/02	12/12/02	Granted
Lawrence Stroik	Fort Worth, TX	11/04/02	05/19/02	Granted
Dianna L. Brooks	Southfield, MN	04/24/01	04/01/03	Dismissed
John Caliguri	Washington, DC	06/05/02	11/15/02	Dismissed
Thomas Dubbs	New York, NY	06/06/97	08/27/02	Dismissed
Charles Hinners	Madison, WI	11/27/00	07/17/02	Dismissed
Kim Singleton	Columbus, IN	02/04/02	09/10/02	Dismissed
David W. Wessel	Menlo Prk, CA	10/24/00	07/17/02	Dismissed
Theresa Brookens	Milwaukee, WI	05/29/01	07/11/02	Withdrawn

Disciplinary

Earl A. Charlton	Milwaukee, WI	07/13/01	11/27/02	Granted
Gregory Straub	Brookfield, WI	03/30/01	12/27/02	Granted
Jill S. Gilbert	River Hills, WI	05/29/01	07/11/02	Granted
				With Conditions
Donald J. Harman	LaCrosse, WI	11/21/01	05/22/03	Denied
Leslie J. Webster	Ellsworth, WI	12/23/99	07/11/02	Denied
Sara Lee Johann	Milwaukee, WI	06/26/02	10/02/02	Dismissed
Paul R. Lynts	Brookfield, WI	04/17/00	07/09/02	Dismissed

Finances

The legal profession is unique in assuming all costs for policing itself. An assessment on every member of the State Bar of Wisconsin pays the costs and expenses of the lawyer regulation system, including all the costs and expenses of the Office of Lawyer Regulation, District Committees, Preliminary Review Committee, and Board of Administrative Oversight. To help offset the costs, the Office of Lawyer Regulation collects costs from attorneys disciplined in formal court proceedings and collects fees on petitions for reinstatement. Collections for fiscal year 2002-2003 were approximately \$50,000.00

The budget for fiscal year 2003-2004 is \$2,201,000, down from \$2,318,000 last year. The assessment is \$123.12, down from \$128.55 last year. The assessment is in line with those of neighboring jurisdictions: somewhat higher than Michigan and Iowa, the same as Minnesota, and lower than Illinois. The assessment is significantly lower than in Colorado, which has a comparable lawyer population and similar programs.

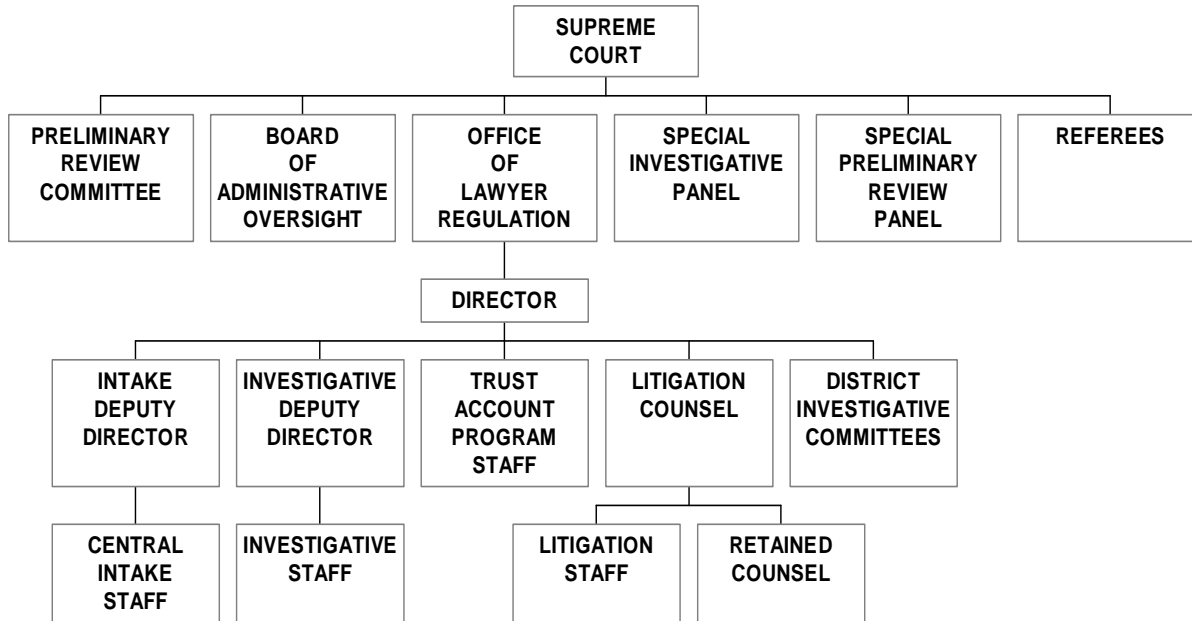
The Year Ahead

Next year, the lawyer regulation system will finish the caseload reduction, and consolidate the Office of Lawyer Regulation in Madison. Consolidation enhances the management of the

Office's responsibilities and increases the investigative capacity of the system by eliminating redundant overhead. The lawyer regulation system will remain accessible to the public through the central intake telephonic procedure. The lawyer regulation system will also remain in contact with locations throughout the state through its district committees. Significant work will continue on the district committee study, the trust account management program and trust account rule, and the study of ethics rules headed by the Wisconsin Ethics 2000 Committee.

APPENDIX 1

***ORGANIZATIONAL CHART OF THE
LAWYER REGULATION SYSTEM***



APPENDIX 2

COMPOSITION OF THE LAWYER REGULATION SYSTEM

WISCONSIN SUPREME COURT

Chief Justice Shirley S. Abrahamson
Justice William A. Bablitch
Justice Jon P. Wilcox
Justice Ann Walsh Bradley
Justice N. Patrick Crooks
Justice David T. Prosser
Justice Diane S. Sykes

OFFICE OF LAWYER REGULATION

Keith L. Sellen, Director
Madison

John K. O'Connell, Deputy Director
Madison

Timothy J. Pierce, Deputy Director
Milwaukee

William Weigel, Litigation Counsel
Julie M. Falk, Assistant Litigation Counsel
Madison

Investigative Staff:

Mary A. Ahlstrom	Madison
Lorry Eldien	Milwaukee
Elizabeth Estes	Madison
Heidi Gaylord, LTE Grievance Investigator	Milwaukee
Cathe Hahn	Madison
Jennifer Henzl-McVey	Milwaukee
Beth Kugler, LTE Grievance Investigator	Madison
Lisa Mazzie, LTE Grievance Investigator	Madison
Rachel Nadel	Milwaukee
Alice O'Mahar	Madison
Sarah Peterson, LTE Grievance Investigator	Milwaukee
Timothy Pierce	Milwaukee
Melody Rader-Johnson	Madison
Cynthia Schally	Madison
Kay Sievers	Madison
Mary Smith	Milwaukee
Sara Ward, LTE Grievance Investigator	Madison

Nancy L. Warner	Madison
Debra Wojtowski, LTE Grievance Investigator	Milwaukee
Jonathan Zeisser	Madison

Support Staff:

Linda Ackerman	Madison
Bonnie Campbell, LTE Program Assistant	Madison
Sheri Carter	Madison
Nancy Davlantes	Milwaukee
Carol Kornstedt	Madison
Pamela Little	Milwaukee
Mary McMillan	Madison
Angelia Pearson	Madison
Joyce Rice	Madison
Carol Rymer	Milwaukee
Barbara Schlak	Madison
Susan Stock	Milwaukee
Laurie Wildrick	Milwaukee

FISCAL YEAR 2002-2003 RETAINED COUNSEL

Matthew Anich	Ashland
Thomas Basting	Janesville
Charles Blumenfield	Milwaukee
Gregg M. Herman	Milwaukee
Jay D. Koritzinsky	Madison
Robert G. Krohn	Janesville
Marc T. McCrory	Janesville
Richard P. Mozinski	Manitowoc
James C. Reiher	Milwaukee
Paul W. Schwarzenbart	Madison
Frank M. Tuerkheimer	Madison
Denis Vogel	Madison
James J. Winiarski	Milwaukee

DISTRICT COMMITTEE MEMBERS

*non-lawyer

District No. 1 (Jefferson, Kenosha, Walworth Counties)

Chairperson Frederick Zievers	Kenosha
Vice Chairperson Phillip Godin	Kenosha
Paul Gagliardi	Salem
Richard C. Kelly	Whitewater
*John Wamboldt	Kenosha
Edward Thompson	Delavan

Delavan
Kenosha
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Kenosha
Elkhorn
Milwaukee

Milwaukee

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Brookfield
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Elm Grove
River Hills
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Milwaukee
Milwaukee
Milwaukee

District No. 3 (Winnebago, Fond du Lac, Green Lake Counties)

Chairperson Alyson Zierdt	Oshkosh
Vice Chairperson David J. Colwin	Fond du Lac
Nicholas A. Casper	Fond du Lac
*Ronald A. Detjen	Berlin
*Professor Martin F. Farrell	Ripon
Ludwig L. Wurtz	Ripon
Milton D. Schierland Jr.	Oshkosh
Ronald P. Hammer	Fond du Lac
*John Fairhurst	Fond du Lac
*Karen Schneider	Appleton
William R. Slate	Markesan
Sharon Mikkelsen	Neenah

District No. 4 (Door, Kewaunee, Manitowoc, Calumet, Sheboygan Counties)

Chairperson Gary Bendix	Manitowoc
*Professor V. Alan White	Manitowoc
David Gass	Sheboygan
James Ungrodt	Kiel
Thomas S. Burke	Luxemburg
Russell Van Skike	Sheboygan
Ralph F. Herlache	Sturgeon Bay
Randall J. Nesbitt	Sturgeon Bay
*Robert Dobbs	Two Rivers
*Erika S. Dalebroux	Luxemburg

District No. 5 (Crawford, LaCrosse, Richland, Vernon, Monroe, Trempealeau, Jackson, Clark, Buffalo, Pepin Counties)

Chairperson C. Michael Chambers	Cochrane
Vice Chairperson James G. Curtis	LaCrosse
Robert Hagness	Mondovi
Ralph Osborne, Jr.	Sparta
Bruce Brovold	Arcadia
Kristin Goedert	LaCrosse
*Diane Morrison	LaCrosse
George Parke	LaCrosse
J. David Rice	Sparta
*Sheila Garrity	LaCrosse
*John Parkyn III	Stoddard
*Linda Lee Sondreal	LaCrosse
*James Geissner	LaCrosse
Frank Vazquez	Neillsville
James P. Czajkowski	Prairie du Chien

District No. 6 (Waukesha County)

Chairperson Gary R. Kuphall

Richard A. Congdon

*Julie DeYoung

Linda C. de la Mora

*Carla Friedrich

*Dennis M. Waller

Jeffrey N. Gingold

Cheryl A. Gemignani

Michael T. Mahony

Rod W. Rogahn

William A. Swendson

*Dennis R. Blasius

*Dr. Robert V. Purtock

Waukesha

Waukesha

Waukesha

Elm Grove

Waukesha

Brookfield

Brookfield

Waukesha

Milwaukee

Delafield

Oconomowoc

Waukesha

Oconomowoc

District No. 7 (Wood, Portage, Waupaca, Waushara, Adams, Juneau, Marquette, Sauk, Columbia Counties)

Chairperson Richard Weymouth

Gary Kryshak

Marc Bickford

*Donald Stein

Joseph Viney

Mark Ilten

Jerome P. Mercer

*James E. Strasser

*Ellen M. Dahl

Wisconsin Rapids

Wisconsin Rapids

Wautoma

Wisconsin Rapids

Baraboo

Stevens Point

Baraboo

Wisconsin Rapids

Wisconsin Rapids

District No. 8 (Dunn, Eau Claire, Pierce, St. Croix Counties)

Co-Chairperson Warren W. Wood

Co-Chairperson Douglas M. Johnson

Thomas J. Graham Jr.

James Remington

William Thedinga

Terrence Gherty

Keith Rodli

Jane E. Lokken

James T. Ryberg

Beverly Wickstrom

*Paul Oesterreicher

*John H. Schulte

*Dr. Kurt W. Wood

*Jane Szmanda Zeller

New Richmond

Eau Claire

Eau Claire

New Richmond

Menomonie

Hudson

River Falls

Eau Claire

Eau Claire

Eau Claire

Eau Claire

Eau Claire

Hudson

Hudson

District No. 9 (Dane County)

Chairperson Nancy Wettersten	Madison
Vice Chairperson Amy R. Smith	Madison
Dennis Robertson	Cambridge
Janice N. Bensky	Madison
Mark Borns	Madison
Marsha Mansfield	Madison
Thomas J. Zaremba	Madison
Professor Walter Dickey	Madison
Michael Weiden	Madison
Kathleen Reiley	Madison
Lauri Roman	Madison
Karen Julian	Madison
Alison TenBruggencate	Madison
*Paul M. Downey	Middleton
*Sabrina Gentile	Madison
*William F. Bauer	Madison
*R. C. Hecht, M.D.	Madison
James R. Jansen	Madison
*Nina Petrovich Bartell	Madison
*Charles A. Bunge	Madison
*Judith A. Miller	Madison
*Ellen Pritzkow	Middleton
Todd G. Smith	Madison
Maureen McGlynn	Madison
Bruce F. Ehlke	Madison
Peter E. Hans	Madison
Richard B. Jacobson	Madison
Henry J. Reul	Madison
*Charles D. Dies	Madison
*Robert C. Hodge	Madison

District No. 10 (Marinette, Menominee, Oconto, Outagamie, Shawano Counties)

Chairperson James N. Miron	Kimberly
Thomas Schwaba	Menominee
*Raymond Zagorski	Appleton
Richard Thomas Elrod	Appleton

District No. 11 (Douglas, Bayfield, Iron, Ashland, Sawyer, Washburn, Burnett, Price, Polk, Barron, Rusk, Taylor, Chippewa Counties)

Chairperson Timothy Doyle	Rice Lake
John Anderson	LaPointe
Richard Gondick, Jr.	Superior

*Eleanora Tribys
Joseph Crawford
Dan Snyder
*James Crandall
Guy T. Ludvigson
Forrest O. Maki
Paul A. Sturgul
Steven Cray
Katherine M. Stewart
John C. Grindell

Port Wing
LaPointe
Park Falls
Drummond
Webster
Superior
Hurley
Chippewa Falls
Spooner
Frederic

District No. 12 (Green, Rock, Lafayette, Iowa, Grant Counties)

Chairperson F. Mark Bromley
Vice Chairperson Margery Mebane Tibbetts
*Dale Anderson
Ray Jablonski
Peter Kelly
Dale Pope
Craig Day
Stephen O. Hart
*Don Holloway
*Ann E. Haglund
*Theron E. Parsons IV
*John Simonson
David B. Feingold
William T. Henderson
Gayle Branaugh Jebbia
Patrick K. McDonald
Eric D. Reinicke
Derrick A. Grubb
*Reverend Lynn L. Church
*Kathleen J. Roelli
*Michael F. Metz

Lancaster
Janesville
Janesville
Janesville
Monroe
Edgerton
Lancaster
Edgerton
Janesville
Platteville
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Platteville
Janesville
Beloit
Dodgeville
Janesville
Platteville
Beloit
Lancaster
Darlington
Lancaster

District No. 13 (Dodge, Ozaukee, Washington Counties)

Chairperson William Alderson
Gary R. Schmaus
William Buchholz
Lisa Derr
*John C. Ralston
Paul M. Dimick
*Deborah Lukovich
*Dr. Alan Martens

West Bend
Menomonee Falls
Waupun
Beaver Dam
Juneau
Cedarburg
Mequon
Waupun

District No. 14 (Brown County)

Chairperson Sandra L. Hupfer
Vice Chairperson Cynthia Caine Treleven
*William Malooly
John C. Huegel
Jeffrey F. Jaekels
Frank S. Wochos
Susan Reigel
*Pastor George Krempin
Ralph J. Tease, Jr.
Laura J. Beck
*Gregory L. Graf
*Kim E. Nielsen
Beth Pless

DePere
Green Bay
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Green Bay

District No. 15 (Racine County)

Chairperson Joseph J. Muratore, Jr.
Vice Chairperson John Barry Stutt
Daniel J. Kelley
Cynthia L. Murphy
*Connie Crowder
Thomas M. Devine
John W. Foley
Scott W. French
Michael J. Kelley
Mark Lukoff
Sally Hoelzel
Timothy D. Boyle
*John P. Crimmings
*Gilbert G. Baumann
*Raymond G. Feest

Racine
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Burlington
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District No. 16 (Forest, Florence, Langlade, Lincoln, Marathon, Oneida, Vilas Counties)

Chairperson John E. Danner
Vice Chairperson Sara Ruffi
Colin Pietz
*Cheryl S. Davis
Daniel Daubert
Jerome Tlusty
Francis U. Seroogy
Robert W. Zimmerman
William Schroeder
Christine R. H. Olsen
*Thomas Burg
*Tom Lonsdorf
*Judy A. Frymark, AIC

Minocqua
Wausau
Wausau
Wausau
Wausau
Schofield
Tomahawk
Wausau
Rhineland
Wausau
Merrill
Schofield
Merrill

PRELIMINARY REVIEW COMMITTEE

Attorney James D. Wickhem, CHAIRPERSON Janesville, WI

Attorney James D. Wickhem is a partner in Meier, Wickhem, Lyons & Schulz in Janesville. He specializes in civil litigation, including personal injury, business litigation, products liability, and insurance disputes. Since 1991, he has served on a district professional responsibility committee (part of the lawyer regulation system), and currently he is chair of that committee. Wickhem has been active in his community, serving on the Janesville Police and Fire Commission and on the board of directors of Big Brothers/Big Sisters of Rock County.

Attorney James D. Friedman, VICE CHAIRPERSON Milwaukee, WI

Attorney James D. Friedman is a partner in Quarles & Brady in Milwaukee, where he is coordinator of the Financial Institutions Practice Group. Friedman is a former member of the Board of Governors and executive committee of the State Bar of Wisconsin. He is a director of Partners Advancing Values in Education, Inc., and the Equal Justice Coalition, Inc., and is listed in *The Best Lawyers in America*, *Who's Who in the World*, *Who's Who in America*, *Who's Who in American Law*, *Who's Who in the Midwest*, and *Who's Who in Finance and Industry*.

Attorney Michael S. Anderson Madison, WI

Attorney Michael S. Anderson is a partner in Axley Brynelson in Madison, where his practice (both trial and appellate) specializes in commercial and business litigation, insurance coverage disputes, and products liability defense. He has been a member of the District 9 Professional Responsibility Committee, which assists the Office of Lawyer Regulation with investigations into possible lawyer misconduct, for nine years. He is listed in *Who's Who in Finance and Industry*, *Who's Who in the World*, *Who's Who in America* and *Who's Who in American Law*.

Mr. Michael S. Ariens Brillion, WI

Michael S. Ariens is Chairman of the Board of Ariens Company, a manufacturer of outdoor power equipment that has been located in Brillion since 1933. Ariens has been with the company since 1959. He is also very active in the business community and in the Catholic Diocese of Green Bay.

Attorney Wayne A. Arnold Rice Lake, WI

Atty. Wayne A. Arnold is deputy first assistant of the Trial Division of the State Public Defender's Office in Barron County. He has served as a supervisor for the State Public Defender since 1985, overseeing operations at various times in Barron, Burnett, Polk, Sawyer, and Washburn counties, in

addition to Rusk. Arnold has been active in his community, serving on various court-related committees and building and operating his own radio station, WFCL-AM in Clintonville.

Attorney Thomas W. Bertz
Stevens Point, WI

Attorney Thomas W. Bertz is a partner in Anderson, Shannon, O'Brien, Rice & Bertz in Stevens Point. He began his law career by clerking for Chief Justice Timothy Brown, who served on the Wisconsin Supreme Court from 1949 to 1964. Bertz is active in his community, serving as president of the Stevens Point Rotary Foundation.

Attorney John R. Dawson
Milwaukee, WI

Attorney John R. Dawson is a partner in Foley & Lardner in Milwaukee, where he has worked since 1970. His practice emphasizes commercial litigation and media law. He is listed in *The Best Lawyers in America* in the areas of business law and First Amendment law and is active on the boards of directors of the Milwaukee Public Museum and the Better Business Bureau of Wisconsin.

Attorney Karri L. Fritz-Klaus
Milwaukee, WI

Attorney Karri L. Fritz-Klaus runs her own Milwaukee law office and specializes in divorce and family law, and mediation. She is past-chair of a district professional responsibility committee (part of the lawyer regulation system) and past-president of the Association for Women Lawyers. She has served as an editor and research assistant at the Smithsonian Institution and as an advisor and consultant to the National Museum of African Art.

Rev. Steven K. Gjerde
Spencer, WI

Rev. Steven K. Gjerde is pastor at St. John's Lutheran Churches in the Wausau-area communities of Spencer and Riplinger. He has taught ethics at the Luther Seminary in St. Paul, and served in the Department of Chaplain Services at the Mayo Clinic. Gjerde is active in his community, serving as chaplain for the Spencer Fire Department and on the advisory board to the King Food Pantry.

Ms. Joan Greendeer-Lee
Tomah, WI

Joan Greendeer-Lee has been a tribal court judge and president of the Wisconsin Tribal Judges Association. Trained as a paralegal, Greendeer-Lee holds a degree in geography. From 1985 to 1999, she served as an assistant manager for the U.S. Census Bureau, where she focused on mapping techniques for identifying American Indian and Alaska Native lands.

Attorney Bernard T. McCartan
Madison, WI

Attorney Bernard T. McCartan is regional claim counsel for American Family Insurance Co., managing the company's Wisconsin legal department. He currently serves as chair of the Professional Ethics Committee of Civil Trial Counsel of Wisconsin and has authored several articles on topics related to ethics. He is active in his community, serving as a youth athletics coach and volunteering as counsel to Milwaukee's Irish festivals.

Dr. M. Tambura Omoiele
Madison, WI

Dr. M. Tambura Omoiele is an adjunct professor at Edgewood College, where she specializes in sociology and criminal justice-related topics. She has also taught at universities in Kansas and Ohio, and has conducted numerous faculty development workshops throughout the Midwest. She has been listed in *Who's Who in the World*, *Who's Who in the Midwest*, and *Who's Who of American Women*.

Dr. Thomas W. Radmer, DDS, M.S.
Trevor

Dr. Radmer is an Oral Maxillofacial Surgeon. He graduated from the University of Wisconsin in 1966, graduated from Marquette School of Dentistry in 1970, and earned a Master's Degree in Oral Maxillofacial Surgery from Marquette University in 1975. Dr. Radmer is Board qualified in OMS, and is a fellow at the American Association OMS and the International Association OMS.

Attorney Frank D. Remington
Madison, WI

Attorney Frank D. Remington is an assistant attorney general with the Wisconsin Department of Justice, where he has worked since 1987. He began his law career as a clerk to Wisconsin Supreme Court Justice Donald W. Steinmetz, who served on the Court from 1980 to 1999. Remington recently completed two terms on a district professional responsibility committee (part of the lawyer regulation system).

BOARD OF ADMINISTRATIVE OVERSIGHT

Attorney W. H. Levit Jr., CHAIRPERSON
Milwaukee, WI

Attorney W.H. Levit Jr. is a partner, chair of the International Practice Group and Loss Prevention Counsel for Godfrey & Kahn, where he has worked since 1983. Previously he had been general counsel of a Fortune 250 company and a partner in a Wall Street law firm. He is active in

international arbitration, and served as a substitute arbitrator at the Iran-U.S. Claims Tribunal in The Hague from 1984 to 1988. He is a Trustee of the State of Wisconsin Investment Board. He regularly serves as an arbitrator and mediator. Early in his career he was a criminal defense attorney for the Legal Aid Society in New York City. Attorney Levit has served as chair of a BAPR district committee, is former chair of the State Bar's Committee on Resolution of Fee Disputes and is chair of the Milwaukee Bar Association's Fee Arbitration Committee. Attorney Levit is immediate past president of the Seventh Circuit Bar Association. He is listed under "Business Litigation" in the Best Lawyers in America.

**Attorney Ann Ustad Smith, VICE CHAIRPERSON
Madison, WI**

Attorney Ann U. Smith is a partner with Michael Best & Friedrich, where she specializes in bankruptcy, commercial litigation, and constitutional litigation. She is a member of the Ethics Committee, which offers analysis and advice on ethics issues to the firm's attorneys. In 1989, Smith served as staff to the Governor's Blue Ribbon Commission on Ethics and Lobbying Laws. A past member of a BAPR district committee, Smith also represented BAPR on open records issues in 1999.

**Attorney Burneatta L. Bridge
Madison, WI**

Attorney Burneatta L. Bridge has worked for the Wisconsin Department of Justice since 1985. She is currently deputy attorney general, a position she has held since 1993. Bridge is very active in the affairs of the State Bar, where she currently sits on the Board of Governors. She is currently co-chair of the Attorney General's Task Force on Children in Need. From 1993 to 2000, she served as a member of a BAPR district committee. Bridge is also a former president of the Legal Association of Women.

**Attorney Dennis R. Cimpl
Milwaukee, WI**

Attorney Dennis R. Cimpl has been a judicial court commissioner for Milwaukee County since 1995. Prior to this, he spent 20 years in private practice. Cimpl served on the State Bar's Board of Governors for four years and served on the BAPR Study Committee. He also served on a BAPR district committee and was a member of the Milwaukee Bar Association's Fee Arbitration Committee for 16 years. After presiding over a Children's Court calendar for three years, Cimpl remains active in child welfare issues.

**Ms. Claire A. Fowler
Hubertus, WI**

Claire A. Fowler owns Gemini Employee Leasing, Inc., which she founded in 1981. Fowler is very active in her community, and serves on numerous professional boards and committees including the Wisconsin Business Women's Coalition, of which she is a founder. The Coalition recommended her appointment to the BAO. Fowler also has served on the State Job Training Coordinating Council and the Women's Advisory Council of the Small Business Administration.

Ms. Krista L. Ginger
Madison, WI

Krista L. Ginger is executive assistant to State Public Defender Nicholas L. Chiarkas. Ginger has worked in this capacity for three years. Prior to this, she worked for the Department of Corrections, where she served as staff to the Governor's Task Force on Corrections. Ginger worked from 1989 to 1994 as a clerk in the Wisconsin Supreme Court and Court of Appeals Clerk's Office.

Mr. T. James Kennedy
Kenosha, WI

T. James Kennedy owns and manages Senior Citizen Services, which provides financial consulting and management for senior citizens. From 1968 until 1997, when he opened his current business, Kennedy worked for banks in Florida, Illinois, and Wisconsin in positions ranging from financial planning officer to president. As a bank trust officer, Kennedy frequently worked with attorneys. Kennedy has served on numerous boards and committees, including the Board of Directors of the National Endowment for the Arts.

Attorney Truman Q. McNulty
Milwaukee, WI

Attorney Truman Q. McNulty is a partner in Whyte Hirschboeck Dudek, where he specializes in business, governmental, and municipal law, as well as commercial litigation. In his lengthy legal career, McNulty has served as president of the State Bar (1978-79) and on the Board of Governors of both the State Bar and the American Bar Association (ABA). He also has served on numerous professional discipline and ethics committees of both the State Bar and the ABA, and on the editorial board that produced the *Lawyers Manual on Professional Conduct*. McNulty is a veteran of World War II.

Attorney James W. Mohr Jr.
Hartford, WI

Attorney James W. Mohr Jr. is founder, managing partner, and president of Mohr & Anderson in Hartford. He specializes in business law, school law, real estate, and corporate and commercial transactions. Prior to starting this firm, Mohr was counsel for Heritage Mutual Insurance Company in Sheboygan. He also was an associate and partner in Whyte & Hirschboeck for eight years. Mohr is currently president of the Washington County Bar Association. He is also founder and director of a community theater.

Mr. Michael J. O'Neill
Mayville, WI

Michael J. O'Neill is a mechanical engineer and is retired from John Deere in Horicon. He specializes in product safety design and holds 10 patents. O'Neill began his career in 1958 with the U.S. Army Ordnance Corps and then worked in General Motors' Cadillac Army Tank Division. He is a past member of the Mayville Police and Fire Commission and the Mayville School Board.

Attorney Scott Roberts

Stevens Point

Attorney Scott Roberts is a Wisconsin native who served as Assistant District Attorney in Rusk County from 1976-1977 and in Rock County from 1978-1980. He served as a State Public Defender in Rock County from 1980-1985, and in Milwaukee County from 1986-1991. He worked as an Assistant District Attorney in Portage County from 1991-2000, and now does criminal defense in solo practice in Stevens Point. He has tried approximately 259 jury trials, and recently prosecuted a shaken baby case that occurred more than 20 years ago. He was a main presenter at the Third National Conference on Shaken Baby Syndrome in 2000.

Attorney Deborah M. Smith Madison, WI

Attorney Deborah M. Smith is legal counsel for the State Public Defender's Office. She has held management positions within the office for eight years, and has worked for the public defender since her graduation from law school in 1980. Smith helped to start the Dane County Drug Treatment Court, and has served on a variety of courthouse committees and the State Bar's BAPR Study Committee.

SPECIAL INVESTIGATIVE PANEL

Attorney Gregory S. Bonney	LaCrosse
Attorney Eileen Brownlee	Fennimore
Attorney Michael P. Crooks	Madison
Attorney Julie Genovese	Madison
Attorney William Pharis Horton	Madison
Attorney Suzanne Kitto	Beloit
Attorney Myron E. LaRowe	Reedsburg
Attorney Maria S. Lazar	Milwaukee
Attorney Francis H. LoCoco	Milwaukee
Attorney Richard G. Niess	Madison
Attorney Scott K. Petersen	Madison
Attorney Mark A. Peterson	Milwaukee
Attorney William Retert	Fond du Lac
Attorney Bruce J. Rosen	Madison
Attorney John Runde	Wausau
Attorney Carl Sinderbrand	Madison
Attorney Ronald R. Smith	Verona
Attorney John D. Varda	Madison

SPECIAL PRELIMINARY REVIEW PANEL

Attorney Paul Van Grunsven, Chairperson	Milwaukee
Attorney Kara M. Burgos	LaCrosse
Dennis B. Gorder	Necedah

Dean Helstad
Attorney James G. Poulos
Attorney Jane C. Schlicht
Attorney Darlo Wentz

Ettrick
West Bend
Milwaukee
Richland Center

SUPREME COURT REFEREES

Norman C. Anderson
Michael Ash
Linda S. Balisle
Rose Marie Baron
Kathleen Brady
Steven J. Caulum
John R. Decker
William Eich
James R. Erickson
Richard M. Essenberg
Henry A. Field, Jr.
Curry First
Dennis J. Flynn
John A. Fiorenza
David R. Friedman
Eugene Gasiorkiewicz
Amy Gentz
Lance S. Grady
Stanley F. Hack
Russell L. Hanson
Charles J. Herro
Janet A. Jenkins
William A. Jennaro
John S. Jude
Joan F. Kessler
Robert T. McGraw
Kim Peterson
Gene B. Radcliffe
Catherine Rottier
John N. Schweitzer
John E. Shannon, Jr.
Judith Sperling Newton
Daniel J. Stangle
Konrad Tuchscherer
Timothy L. Vocke
Cheryl Rosen Weston
James T. Winiarski

Madison
Milwaukee
Madison
Milwaukee
Wauwatosa
Madison
Milwaukee
Madison
Balsam Lake
Milwaukee
Madison
Milwaukee
Racine
Mequon
Madison
Racine
Madison
Waukesha
Milwaukee
Westby
Oconomowoc
LaCrosse
Milwaukee
Racine
Milwaukee
Waukesha
Oconomowoc
Black River Falls
Madison
Madison
Stevens Point
Madison
Park Falls
Wausau
Rhineland
Madison
Milwaukee

APPENDIX 3

NEW MATTERS AND DISPOSITIONS, FISCAL YEAR 1995 - 2003

	FY95	FY96	FY97	FY98	FY99	FY00	FY01	FY02	FY03
Number of Attorneys	18,558	18,938	19,301	19,581	19,984	20,167	20,551	20,772	21,112
Number Pending at Beginning of Fiscal Year	579	444	421	448	500	621	874	1,127	1,313
*Adjustments						(14)		(109)	(80)
New Matters	1,346	1,316	1,506	1,396	1,423	1,526**	1,951**	2,423	2,261
Dispositions	1,482	1,339	1,479	1,344	1,302	1,287	1,698	2,346	2,617
Pending at Close of Fiscal Year	444	421	448	500	621	874	1,127	1,313	1,037

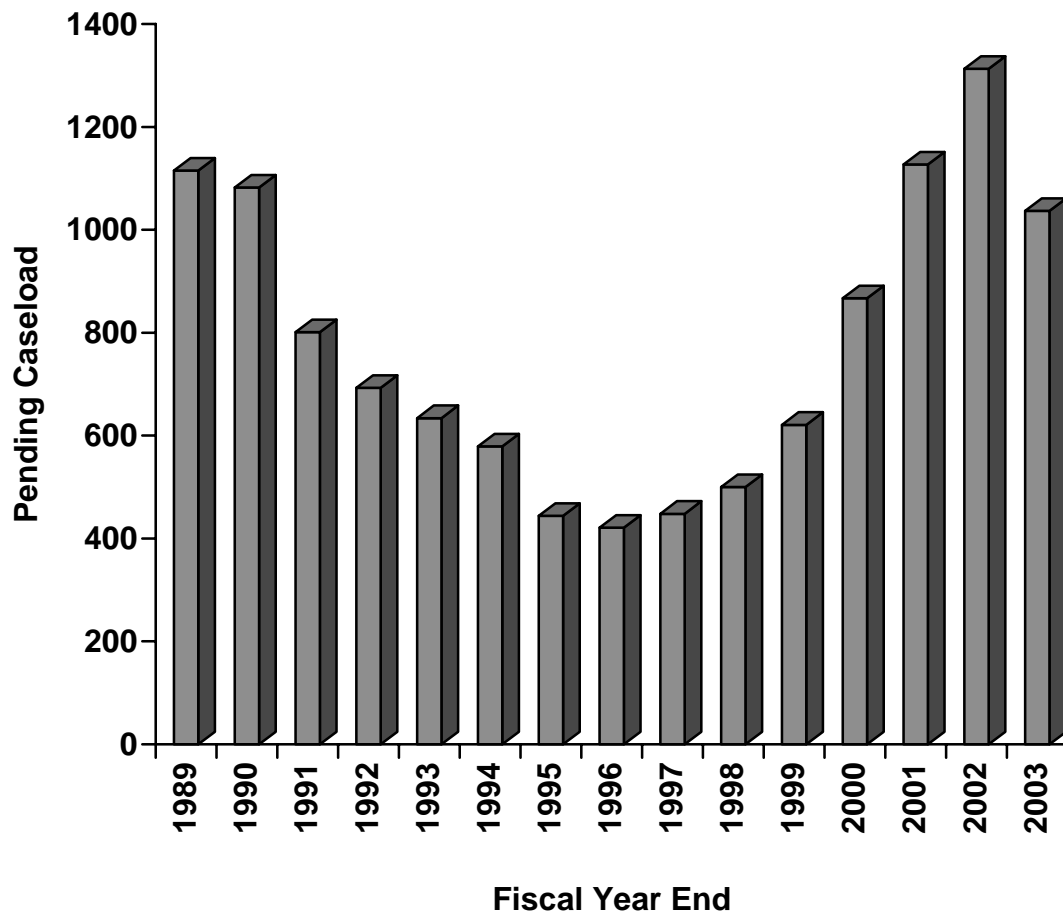
*Adjustments include appealed matters that are reopened and other administrative changes made during the fiscal year.

**The increase in the number of new matters was due to the telephonic intake program established January 1, 2001.

APPENDIX 4

PENDING CASELOAD

Fiscal Years 1989 - 2003



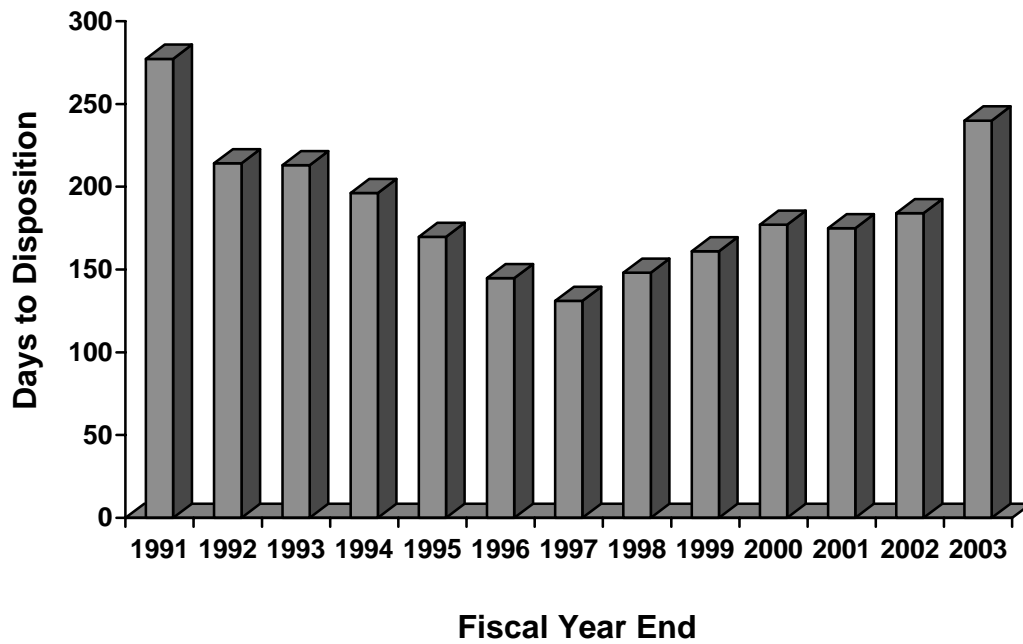
APPENDIX 5

EFFICIENCY AND PRODUCTIVITY

	FISCAL YEAR 2001	FISCAL YEAR 2002	FISCAL YEAR 2003
*AVERAGE TIME FOR DISPOSITION	175 DAYS	184 DAYS	240 DAYS
MATTERS OVER ONE YEAR OLD	306	461	293
PERCENTAGE OF MATTERS OVER ONE YEAR OLD	27%	35%	31%
PERCENTAGE OF MATTERS CLOSED WITHIN 90 DAYS	55%	58%	50%
PERCENTAGE OF MATTERS CLOSED WITHIN 180 DAYS	70%	74%	73%

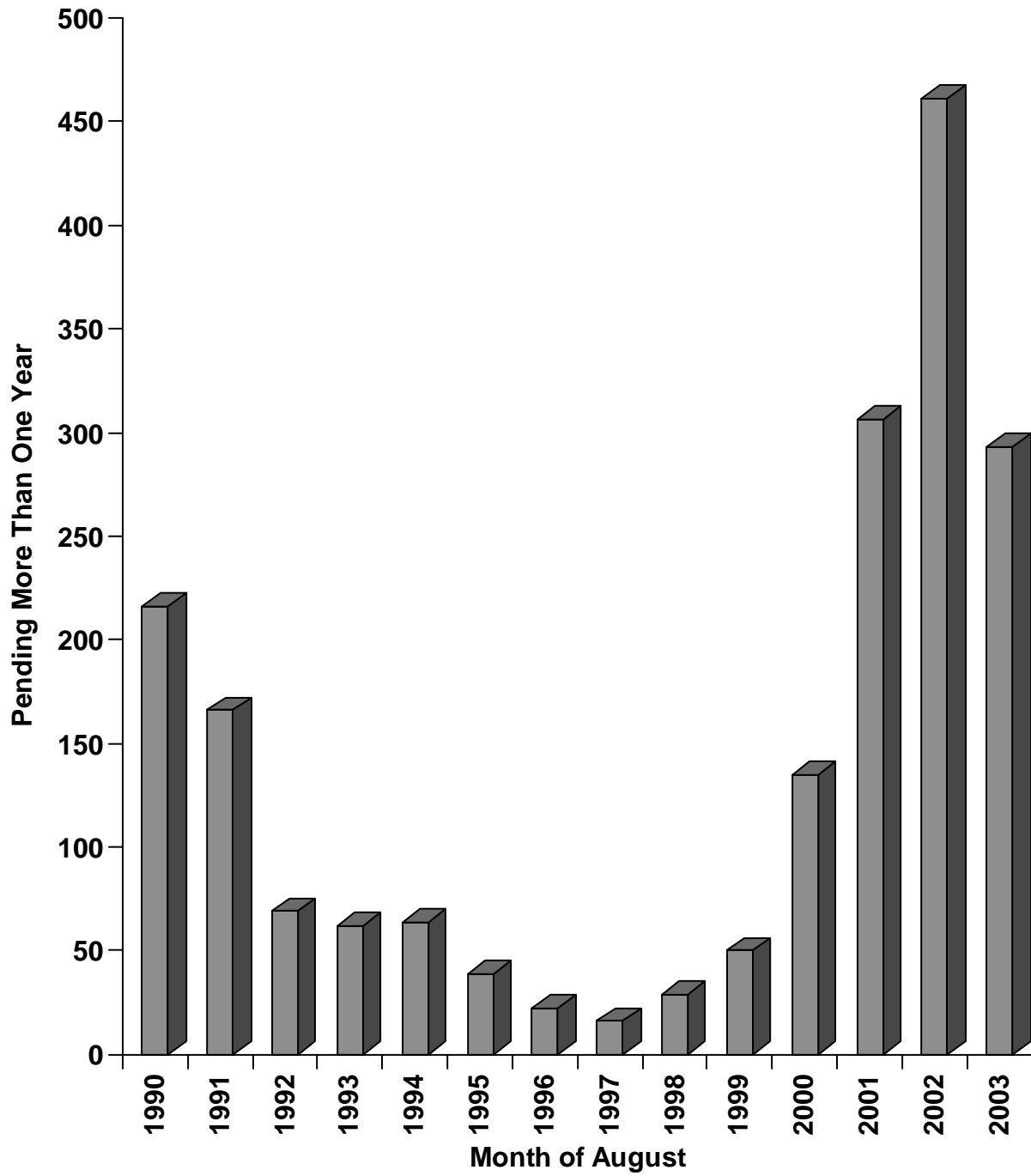
*Average time for disposition is calculated by averaging length of time it took to process a case and calculates the time for each case when matters are completed. Because many older matters will be completed during the next fiscal year, the average time for disposition is expected to remain high for the coming year but should be reduced significantly thereafter.

APPENDIX 6
AVERAGE MATTER PROCESSING TIME
Fiscal Years 1991 - 2003



APPENDIX 7
GRIEVANCES PENDING MORE THAN ONE YEAR

Fiscal Years 1990 - 2003



APPENDIX 8A

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2002-2003

Categorized by Allegation

ALLEGATIONS	TOTAL	PERCENTAGE OF TOTAL ALLEGATIONS
Conflict of Interest	132	5.9%
Criminal Conduct	13	0.6%
Failure to Return Property	97	4.3%
Frivolous Action	18	0.8%
IFOR	239	10.7%
Improper Advertising	9	0.4%
Improper Advocacy	91	4.1%
Improper Communications	43	1.9%
Improper Termination	34	1.5%
Incompetence	143	6.4%
Lack of Communication	313	14.0%
Lack of Diligence	443	19.8%
Medical Incapacity	2	0.1%
Misrepresentation/Dishonesty	232	10.4%
Reciprocal Discipline	2	0.1%
Revealing Confidences	12	0.5%
Scope of Representation	64	2.9%
Statutory Violation	18	0.8%
Supervise Subordinates	3	0.1%
Trust Account Violations	85	3.8%
Unauthorized Practice	22	1.0%
Unreasonable Fees	98	4.4%
Violation of Decision	5	0.2%
Violation of Oath	53	2.4%
Not Available	9	0.4%
Other	55	2.5%

APPENDIX 8B

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2002-2003

Categorized by Area of Practice

AREA OF PRACTICE	TOTAL	PERCENTAGE OF TOTAL AREA OF PRACTICE
Administrative & Government Law	41	1.9%
Bankruptcy-Receivership	106	4.7%
Collections, Garnishments	45	2.0%
Contracts, Commercial, Consumer Law	35	1.6%
Corporate-Banking	26	1.2%
Criminal Law	720	32.1%
Estate-Probate, Guardianship & Wills	154	6.9%
Family Law & Juvenile	486	21.7%
Immigration & Naturalization	11	0.5%
Insurance	28	1.2%
Labor, Unemployment Compensation	14	0.6%
Landlord-Tenant	19	0.8%
Litigation	152	6.8%
Patent-Trademark	9	0.4%
Real Property Law & Foreclosure	117	5.2%
Taxation	9	0.4%
Torts, Including Personal Injury, Auto Accidents and Civil Rights	164	7.3%
Workers Compensation, Soc. Security	42	1.9%
Not Available	18	0.8%
Other	46	2.1%

APPENDIX 8C

SURVEY OF GRIEVANCES RECEIVED DURING

FISCAL YEAR 2002-2003

Categorized by Source of Grievance

SOURCE OF GRIEVANCE	TOTAL	PERCENTAGE OF TOTAL SOURCE OF GRIEVANCE
Client	1332	60.1%
Adverse Party	348	15.7%
Other Person	379	17.1%
Attorney	64	2.8%
Staff	72	3.3%
Judge	19	0.9%

APPENDIX 9

PUBLICLY DISCIPLINED LAWYERS

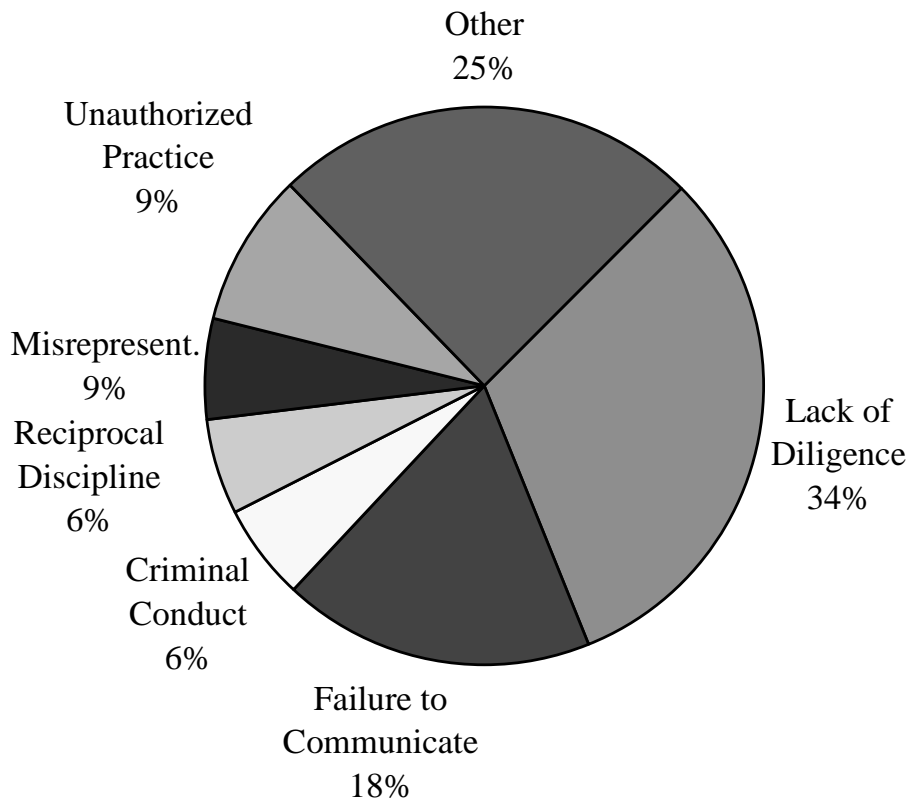
AS A PERCENTAGE OF TOTAL LAWYER POPULATION

YEAR	NUMBER OF LAWYERS PUBLICLY DISCIPLINED	STATE BAR MEMBERSHIP	PERCENTAGE OF LAWYERS PUBLICLY DISCIPLINED
2002-03	46	21,112	0.2
2001-02	20	20,772	0.1
2000-01	37	20,551	0.2
1999-00	24	20,167	0.1
1998-99	34	19,984	0.2
1997-98	37	19,581	0.2
1996-97	28	19,301	0.1
1995-96	33	18,938	0.2
1994-95	47	18,558	0.3
1993-94	55	17,974	0.3
1992-93	69	17,648	0.4
1991-92	50	17,407	0.3
1990-91	45	16,334	0.3
1989-90	33	15,876	0.2
1988-89	38	15,451	0.2
1987-88	39	14,942	0.3
1986-87	32	14,533	0.2
1985-86	45	14,312	0.3
1984-85	38	14,096	0.3
1983-84	45	13,536	0.3
1982-83	36	13,300	0.3
1981-82	28	12,700	0.2
1980-81	20	12,300	0.2
1979-80	16	11,900	0.1
1978-79	11	11,600	0.1

APPENDIX 10

TYPE OF MISCONDUCT FOUND IN PUBLIC DISCIPLINE DECISIONS

Fiscal Year 2002-2003



OTHER:

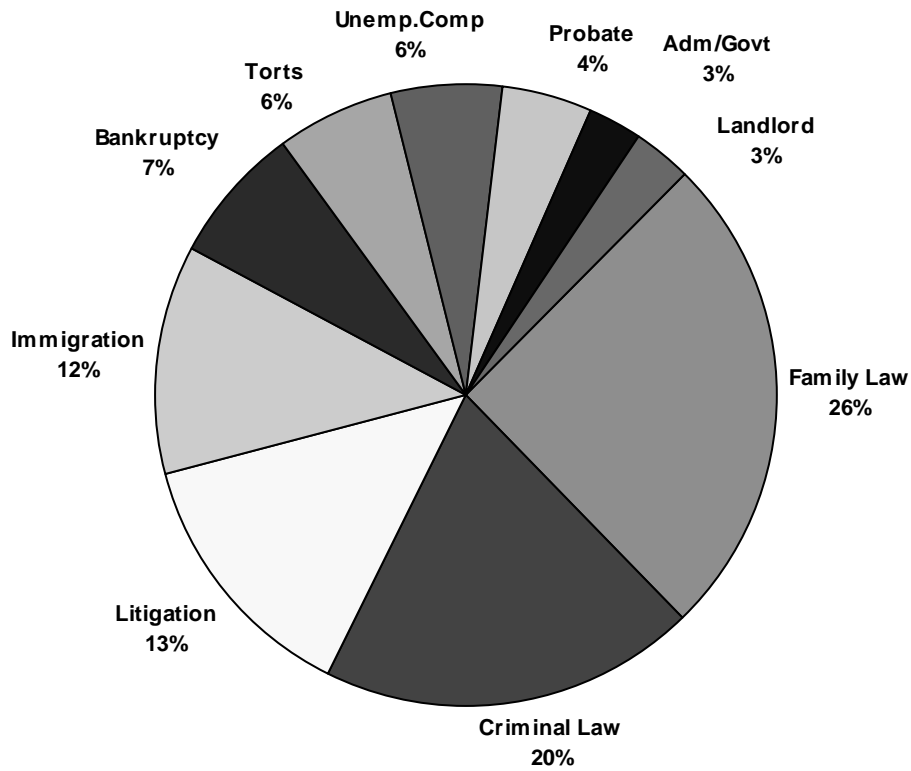
Conflict of Interest
Improper Termination
Improper Advocacy
Revealing Confidences
Other

Frivolous Action
Incompetence
Failure to Return Property
Trust Account Violations
Unreasonable Fees

APPENDIX 11

AREAS OF PRACTICE IN WHICH MISCONDUCT WAS FOUND IN PUBLIC DISCIPLINE DECISIONS

Fiscal Year 2001-2002



APPENDIX 12
OFFICE OF LAWYER REGULATION
2002-2003
OUTREACH EFFORTS

DATE	PRESENTER	EVENT
August 16, 2002	Sellen	Speech to National Association of Legal Professionals
September 4, 2002	Sellen	Speech to Door County Bar Association
September 5, 2002	Sellen and Smith	Trust Account Round Table – Wisconsin Law Journal
September 27, 2002	Sellen	Presentation to Law Practice/Office Management Seminar
October 11, 2002	Sellen/Smith	Trust Account Management School
October 23, 2002	Sellen	Presentation to Edgewood College Criminal Justice Class
October 29, 2002	Sellen	Presentation to UW Law School Professionalism Class
October 30, 2002	Sellen	Presentation to Edgewood College Criminal Justice Class
October 31, 2002	Sellen	Presentation to Legal Ethics 2002
November 1, 2002	Sellen	Presentation to Legal Ethics 2002
November 15, 2002	Sellen/Weigel O’Connell/Smith	OLR Ethics School
November 20, 2002	Sellen	Judicial Civil Law Seminar
November 21, 2002	Sellen	Fond du Lac County Bar Association
December 4, 2002	Pierce	Presentation to Wisconsin Legal Marketing Association

December 5, 2002	Sellen	Presentation to Legal Action of Wisconsin
December 6, 2002	Weigel	Presentation to Wisconsin Employment Relations Commission
December 7, 2002	Pierce	Presentation to Wisconsin Association of Criminal Defense Lawyers
December 11, 2002	Sellen	Presentation to Legal Aid Society of Milwaukee
December 12, 2002	Sellen	Presentation to Corporate Practice Institute
January 6, 2003	Sellen/Pierce	Briefed DC 2 about OLR Consolidation
January 14, 2003	Sellen/O'Connell Pierce	Special Investigator Training
January 21, 2003	Sellen	Presentation to Family Law Section of Milwaukee Bar Assn.
February 8, 2003	Weigel	Presentation to National Organization of Bar Counsel
Spring 2003	Weigel	UW Law School Professional Responsibility
March 20, 2003	Sellen/O'Connell	Diversion Monitor Training
March 26, 2003	Weigel	Presentation for State Bar of Wisconsin CLE, Madison
March 27, 2003	Weigel	Presentation for State Bar of Wisconsin CLE, Milwaukee
March 28, 2003	Sellen	Presentation to State Bar Law Practice Section
April 4, 2003	Sellen/Smith	Trust Account Seminar
April 16, 2003	Sellen	New District Committee Member Training
April 21, 2003	Sellen	Attended Ethics 2000 Commission Meeting
April 24, 2003	Sellen	Met with ABA Lawyer Assistance Study Committee

May 7, 2003	Sellen/Pierce	New District Committee Member Training
May 8, 2003	Mohr/Sellen	Met with State Bar Professionalism Committee
May 8, 2003	Sellen	Presentation (CLE) at State Bar Convention
May 9, 2003	Sellen	Referee and Respondent Counsel Meeting
May 14, 2003	O'Connell	Wisconsin Association of Legal Administrators
June 11, 2003	Weigel	Ethics for Municipal Attorneys
June 24, 2003	Sellen	Ethics 2000 Commission Meeting